

terminus of State Route 2 (SR-2) from approximately 0.5 miles south of Branden St. (PM 13.5) to the Interstate 5(I-5)/SR-2 interchange (PM 15.2) in the city and county of Los Angeles. The purposes of the project are to better manage traffic flow and enhance vehicular and pedestrian mobility and safety in the vicinity of the SR-2 terminus. The actions by the Federal agencies, and the laws under which such actions were taken, are described in the Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) approved on October 14, 2010 and in other documents in the FHWA project records. The EA, FONSI and other project records are available by contacting Caltrans at the addresses provided above. The Caltrans EA and FONSI can be viewed and downloaded from the project Web site at <http://www.dot.ca.gov/dist07/resources/envdocs>.

This notice applies to all Federal agency decisions as of the issuance date of this notice and all laws under which such actions were taken, including but not limited to:

1. National Environmental Policy Act (NEPA) [42 U.S.C. 4321-4351]; Federal-Aid Highway Act [23 U.S.C. 109]
2. Clean Air Act [42 U.S.C. 7401-7671(q)]
3. Migratory Bird Treaty Act [16 U.S.C. 703-712]
4. Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470(aa)-11]
5. Civil Rights Act of 1964 [42 U.S.C. 2000(d)-2000(d)(1)]
6. Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) [42 USC 9601-9675]; Superfund Amendments and Reauthorization Act of 1986 (SARA).
7. Executive Orders: E.O. 12898 Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations; E.O. 11593 Protection and Enhancement of Cultural Resources; E.O. 13112 Invasive Species.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

**Authority:** 23 U.S.C. 139(l)(1)

Issued on: December 14, 2010.

**Maiser Khaled,**

*Acting Director, State Programs, Federal Highway Administration, Sacramento, California.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### Petition for Waiver of Compliance

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance from certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

#### Hoosier Valley Railroad Museum, Inc.

[Waiver Petition Docket Number FRA-2010-0161]

The Hoosier Valley Railroad Museum, Inc. (HVRM) of North Judson, Indiana, has petitioned for a permanent waiver of compliance for five cabooses from the requirements of the Railroad Safety Glazing Standards, title 49 CFR part 223, which require certified glazing in all windows. The subject cabooses do not meet the glazing requirements as per 49 CFR 223.13. The reporting marks on these cabooses, with built-years in parentheses, are as follows: B&LE 1989 (1956), EL C345 (1953), NKP 471 (1962), GTW 75072 (1948) and EJ&E 184 (1970). HVRM states that they are a 501(c)(3) non-profit organization with the mission to preserve railroad history in northwest Indiana. The subject cabooses are used in tourist, historic and/or excursion operations for the purpose of historic demonstration, photography and film production.

The subject cabooses are only operated at limited track speed over the Chesapeake & Indiana Railroad (CKIN) over tracks owned by the Town of North Judson, Indiana, and are operated under yard limits subject to the authority of CKIN. HVRM states that the installed glass is in good condition, operations are in a benign environment, and the expense of retrofitting the subject cabooses with FRA certified glazing will impose a high financial burden.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number FRA-2010-0161) and may be submitted by any of the following methods:

- **Web site:** <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- **Fax:** 202-493-2251.
- **Mail:** Docket Operations Facility, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., W12-140, Washington, DC 20590.
- **Hand Delivery:** 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's Web site at <http://www.regulations.gov>.

Anyone is able to search the electronic form of any written communications and comments received into any of our dockets by the name of the individual submitting the document (or signing the document, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Page 19477) or at <http://www.dot.gov/privacy.html>.

Issued in Washington, DC, on December 15, 2010.

**Robert C. Lauby,**

*Deputy Associate Administrator for Regulatory and Legislative Operations.*

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